

## **EXHIBIT 2**

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**IN RE AUTOMOTIVE PARTS ANTITRUST  
LITIGATION**

**CASE NO. 12-MD-02311**

**HON. MARIANNE O. BATTANI**

**In Re: OCCUPANT SAFETY SYSTEMS CASES**

**2:12-cv-00601-MOB-MKM**

**THIS RELATES TO:**

**2:16-cv-10002-MOB-MKM**

**ALL DIRECT PURCHASER ACTIONS**

**NOTICE**

**NOTICE OF PROPOSED SETTLEMENTS OF DIRECT PURCHASER CLASS ACTION WITH TOYODA GOSEI AND TOKAI RIKA DEFENDANTS AND HEARING ON:**

- (1) APPROVAL OF PROPOSED SETTLEMENTS;**
- (2) PLAN OF DISTRIBUTION OF THE SETTLEMENT FUND; AND**
- (3) MOTION OF SETTLEMENT CLASS COUNSEL FOR AWARD OF ATTORNEYS' FEES AND COSTS AND EXPENSES AND INCENTIVE AWARDS TO THE CLASS REPRESENTATIVES**

**TO:** ALL INDIVIDUALS AND ENTITIES WHO PURCHASED OCCUPANT SAFETY SYSTEMS IN THE UNITED STATES DIRECTLY FROM A DEFENDANT FROM JANUARY 1, 2003 THROUGH FEBRUARY 25, 2015.

PLEASE READ THIS ENTIRE NOTICE CAREFULLY. YOUR LEGAL RIGHTS MAY BE AFFECTED BY LITIGATION NOW PENDING IN THIS COURT.

**WHAT IS THE PURPOSE OF THIS NOTICE AND WHY WAS IT SENT TO ME?**

This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Eastern District of Michigan, Southern Division. The purpose of this Notice is to inform you of a hearing before the Court to consider:

- (1) Proposed settlements with Defendants Toyoda Gosei Co., Ltd., Toyoda Gosei North America Corp., and TG Missouri Corp. (collectively, "Toyoda Gosei") and Defendants Tokai Rika Co., Ltd. and TRAM, Inc., d/b/a Tokai Rika U.S.A. Inc. (collectively, "Tokai Rika") (all Defendants referenced in this paragraph are collectively referred to as the "Settling Defendants");
- (2) A plan of distribution of the Toyoda Gosei and Tokai Rika settlement proceeds to Settlement Class members and a proposed Claim Form that you may submit in order to share in the Settlement Fund proceeds; and
- (3) Settlement Class Counsel's motion for an award of attorneys' fees and reimbursement of their litigation costs and expenses and incentive awards to the Class Representatives.

This Notice provides information concerning the proposed settlements, the proposed plan of distribution, and the motion for attorneys' fees and litigation expenses and costs, and incentive awards. The Notice also advises you of your rights to: participate in the settlement claims process; exclude yourself from either or both of the Settlement Classes; and object to the terms of the proposed settlements, the plan of distribution, and the requests for fees and costs and incentive awards in connection with the Court hearing on these matters.

## **BACKGROUND**

You were previously notified of the existence of this class action, the nature of the Plaintiffs' claims, and settlements with Autoliv Inc., Autoliv ASP, Inc., Autoliv B.V. & Co. KG, Autoliv Safety Technology, Inc., and Autoliv Japan Ltd. (collectively, "Autoliv") in the amount of \$35,516,800, and with TRW Automotive Holdings Corp. and TRW Deutschland Holding GmbH (collectively, "TRW") in the amount of \$6,500,000. Those settlements were previously approved by the Court in Orders dated January 7, 2015 and July 24, 2015, respectively. An Order authorizing distribution of the Autoliv and TRW settlement funds was entered by the Court on April 18, 2017, and checks were sent to approved claimants on May 23, 2017.

Plaintiffs have reached settlements with the Toyoda Gosei Defendants for \$34,000,000 and

with the Tokai Rika Defendants for \$4,000,000. When added to the Autoliv and TRW settlements, this brings the total settlements in this case to \$80,016,800, plus accruing interest. As described below in more detail, the amounts of the Toyoda Gosei and Tokai Rika settlements, in the total amount of \$38,000,000 (the “Toyoda Gosei and Tokai Rika Settlement Fund”) are subject to possible reduction, and/or rescission, in the event of valid requests for exclusion by Settlement Class members.

This litigation is part of coordinated legal proceedings involving a number of parts used in motor vehicles. This litigation and the proposed settlements relate solely to Occupant Safety Systems purchased in the United States **directly** from a Defendant or any co-conspirator of a Defendant. “Occupant Safety Systems,” for purposes of the settlement, are seat belts, airbags, steering wheels or steering systems, safety electronic systems, and related parts and components. These proceedings do not relate to, and have no effect upon, cases involving any other product.

If you purchased Occupant Safety Systems in the United States directly from a Defendant or any co-conspirator of a Defendant during the period from January 1, 2003 through February 25, 2015 (the “Class Period”), you are a member of the Toyoda Gosei and/or Tokai Rika Settlement Classes and have the rights and options summarized here:

- You may remain in either or both of the Toyoda Gosei or Tokai Rika Settlement Classes and be eligible to share in the proceeds of, and be bound by the terms of, any settlement in which you remain;
- You may exclude yourself from either or both of the Toyoda Gosei or Tokai Rika Settlement Classes, in which case you will **not** be bound by any settlement from which you exclude yourself and will **not** be able to share in the proceeds of that settlement;
- If you remain in either the Toyoda Gosei or Tokai Rika Settlement Classes, you may object to that proposed settlement, to the proposed plan of distribution of the Toyoda Gosei and Tokai Rika Settlement Fund, or to Settlement Class Counsel’s

request for an award of attorneys' fees and litigation costs and expenses and for incentive payments to the Class Representatives. You may also appear at the hearing where the Court will consider these matters;

- You may enter an appearance in the litigation through your own counsel at your own expense; and
- Any Settlement Class member who wishes to participate in the distribution of the Toyoda Gosei and Tokai Rika Settlement Fund may either rely on a valid Claim Form that it previously submitted in connection with the prior settlements in this litigation or may instead submit a Claim Form that would relate only to the Toyoda Gosei and Tokai Rika settlements. Any Settlement Class member that chooses the latter option must complete and submit a copy of the attached Claim Form, postmarked no later than \_\_\_\_\_, 2018.

### **WHO IS IN THE TOYODA GOSEI AND TOKAI RIKA SETTLEMENT CLASSES?**

The Court has provisionally certified a Direct Purchaser Toyoda Gosei Settlement Class (the "Toyoda Gosei Settlement Class") and a Direct Purchaser Tokai Rika Settlement Class (the "Tokai Rika Settlement Class") for the purpose of disseminating notice of the proposed Toyoda Gosei and Tokai Rika settlements.

The Toyoda Gosei Settlement Class is defined as follows:

All individuals and entities (excluding Defendants and their present and former parents, subsidiaries, and affiliates) who purchased Occupant Safety Systems in the United States directly from one or more Defendants from January 1, 2003 through February 25, 2015.

The Tokai Rika Settlement Class is defined as follows:

All individuals and entities who purchased Occupant Safety Systems in the United States directly from one or more Defendants or their co-conspirators (or their controlled subsidiaries, affiliates, or joint ventures) from January 1, 2003 through February 25, 2015. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries, and affiliates, federal governmental entities and instrumentalities of the federal government, and states and their subdivisions, agencies and instrumentalities.

For purposes of the Toyoda Gosei and Tokai Rika Settlement Class definitions set forth above, the following entities are Defendants: Autoliv, Inc., Autoliv ASP, Inc., Autoliv

Safety Technology, Inc., Autoliv B.V. & Co. KG, Autoliv Japan Ltd., Takata Corporation, TK Holdings, Inc., Tokai Rika Co., Ltd., TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc., Toyoda Gosei Co., Ltd., Toyoda Gosei North America Corp., TG Missouri Corp., TRW Automotive Holdings Corporation, and TRW Deutschland Holding GmbH.

Plaintiffs Beam's Industries, Inc., Findlay Industries, Inc., and NM Holdings Company, LLC have been appointed by the Court to serve as "Class Representatives" for the Tokai Rika and Toyota Gosei Settlement Classes. The Court has appointed the law firms of Freed Kanner London & Millen LLC, Kohn, Swift & Graf, P.C., Preti, Flaherty, Beliveau & Pachios LLP, and Spector Roseman & Kodroff, P.C. to serve as "Settlement Class Counsel" for the Settlement Classes.

### **WHAT IS THIS LITIGATION ABOUT?**

In 2012, class action lawsuits were filed against Defendants by Plaintiffs, on behalf of direct purchasers of Occupant Safety Systems. Plaintiffs allege that Defendants entered into a conspiracy to suppress and eliminate competition for Occupant Safety Systems by agreeing to fix, maintain, or stabilize prices, rig bids, and allocate the supply of Occupant Safety Systems, in violation of federal antitrust laws. Plaintiffs further allege that as a result of the conspiracy, they and other direct purchasers of Occupant Safety Systems have been injured by paying more for those products than they would have paid in the absence of the alleged illegal conduct, and they seek recovery of treble damages, together with reimbursement of costs and an award of attorneys' fees.

Toyoda Gosei, Tokai Rika and the other Defendants have denied Plaintiffs' allegations and liability and have asserted defenses to Direct Purchaser Plaintiffs' claims. The Court has not issued any findings or rulings with respect to the merits of Plaintiffs' claims or Defendants'

defenses. This is a partial settlement of the claims in the complaint as it is with Toyoda Gosei and Tokai Rika only.

### **WHAT RELIEF DOES THE PROPOSED SETTLEMENT PROVIDE?**

Plaintiffs, on behalf of the Toyoda Gosei Settlement Class, have entered into a settlement with Toyoda Gosei dated November 14, 2017 (the “Toyoda Gosei Settlement Agreement”), under which Toyoda Gosei has agreed to pay \$34,000,000. The Toyoda Gosei Settlement Agreement gives Toyoda Gosei the right to reduce its settlement payment, but in no event to an amount less than \$14,250,000, based upon the amount of valid requests for exclusion by members of the Toyoda Gosei Settlement Class. Toyoda Gosei has also agreed to cooperate with Plaintiffs in the continuing prosecution of the Takata Defendants, who are the only remaining non-settling Defendants.

Plaintiffs, on behalf of the Tokai Rika Settlement Class, have entered into a settlement agreement with Tokai Rika dated January 29, 2018 (the “Tokai Rika Settlement Agreement”), under which Tokai Rika has agreed to pay \$4,000,000. The Tokai Rika Settlement Agreement gives Tokai Rika and the Plaintiffs the right to terminate the settlement based upon the number of Tokai Rika Settlement Class members that request exclusion. Pursuant to the settlement, Tokai Rika has also agreed to cooperate with Plaintiffs.

This Notice is only a summary of the terms of the proposed settlements. The Toyoda Gosei Settlement Agreement and Tokai Rika Settlement Agreement contain other important provisions, including the release of certain claims against Toyoda Gosei and Tokai Rika (and companies and people affiliated with them). For the complete terms of the settlements, you are referred to the agreements, which are on file with the Clerk of Court and are available on-line at [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com). The proposed settlements must receive final approval by

the Court in order to become effective.

If you wish to object to approval of either of the settlements, you may do so, but only in accordance with the procedures set forth below. If you do not object to a settlement, you do not need take any action at this time to indicate your support for, or lack of objection to, that settlement.

**HOW DO I REMAIN IN THE SETTLEMENT CLASSES, WHAT HAPPENS IF I DO, AND HOW DO I FILE A CLAIM FORM?**

You were previously asked to decide whether you wanted to remain in the Autoliv and TRW Settlement Classes. With respect to each of those Settlement Classes, you are bound by whatever decision you previously made.

If you are a member of the Toyoda Gosei Settlement Class or the Tokai Rika Settlement Class, as defined above, you will automatically remain a member of that Settlement Class unless you elect to be excluded. If you wish to remain in a Settlement Class, you do not need to take any action at this time with respect to that Class and your interests will be represented by the Class Representatives and by Settlement Class Counsel. If you remain in a Settlement Class, you will be eligible to share in the proceeds of that settlement. If you submitted a valid Claim Form in connection with the Autoliv and TRW settlements, you may submit a Claim Form at this time, but are not required to do so because the information from your original Claim Form will be used to determine the amount of your share of the Toyoda Gosei and Tokai Rika Settlement Fund. If you believe you have additional information that you did not include in your previously submitted Claim Form, you may submit a Claim Form with that additional information. If you did not previously submit a valid Claim Form in connection with the Autoliv and TRW settlements and would like to share in the proceeds of the Toyoda Gosei and Tokai Rika Settlement Fund, or if you wish to submit additional information, then you **must** submit a Claim Form postmarked by \_\_\_\_\_, 2018. Any

Settlement Class member that did not previously submit a valid Claim Form or does not complete and timely submit a valid and timely Claim Form at this time will not be entitled to share in the Toyoda Gosei and Tokai Rika settlement proceeds.

If you remain in either the Toyoda Gosei Settlement Class or the Tokai Rika Settlement Class and the proposed settlement with that Defendant is approved and becomes effective, you will be bound by its terms, including the release provisions, whether or not you receive a share of the settlement proceeds attributable to that settlement.

### **HOW WILL THE SETTLEMENT FUNDS BE DISTRIBUTED?**

The Toyoda Gosei and Tokai Rika Settlement Fund, with accrued interest, less any amounts approved by the Court for payment of attorneys' fees, litigation and administration costs and expenses, and incentive awards for the Class Representatives, and less any reductions based upon valid requests for exclusion by members of the Toyoda Gosei or Tokai Rika Settlement Class (the "Net Toyoda Gosei and Tokai Rika Settlement Fund"), will be distributed among the members of the Settlement Classes who have either (1) previously submitted a valid Claim Form in connection with the Autoliv and TRW settlements and have not elected to exclude themselves from the Toyoda Gosei and Tokai Rika Settlement Classes or (2) completed and timely submitted a valid and timely Claim Form postmarked by \_\_\_\_\_, 2018. The Net Toyoda Gosei and Tokai Rika Settlement Fund will be distributed *pro rata* to all Claimants based upon their **direct** purchases in the United States from Defendants or their co-conspirators from January 1, 2003 through February 25, 2015. The distribution will take place as soon as practicable after review, determination, and audit of the Claim Forms by the Settlement Administrator and approval by the Court of the Settlement Administrator's recommendations as to the amounts to be paid to the Claimants.

**Please do not dispose of any document that reflects any payments for your direct purchases of Occupant Safety Systems in the United States from any Defendant or any co-conspirator of a Defendant (or their controlled subsidiaries, affiliates, or joint ventures) during the period from January 1, 2003 through February 25, 2015. You may need those documents to complete and substantiate your Claim Form, which will be subject to inquiry and verification.**

**WHAT IF I DO NOT WANT TO REMAIN IN A SETTLEMENT CLASS?**

You may exclude yourself from either or both Settlement Classes. If you wish to exclude yourself from either or both of the Toyoda Gosei and Tokai Rika Settlement Classes, you must send a request for exclusion, in writing, by certified mail, return receipt requested, **postmarked no later than \_\_\_\_\_, 2018**, to Settlement Class Counsel and to counsel for the Settling Defendants, at the addresses set forth below, and to the following address:

Occupant Safety Systems Direct Purchaser Antitrust Litigation  
PO Box 5110  
Portland, OR 97208-5110

Your request for exclusion must identify the Settlement Class or Classes from which you are seeking exclusion and must include the full name and address of the purchaser (including any predecessor or successor entities and any trade names). You are also requested to identify the Defendant(s) from which you purchased Occupant Safety Systems during the Class Period, the Occupant Safety Systems purchased during the Class Period, and the dollar amount of your purchases. If you validly exclude yourself from either or both of the Toyoda Gosei and Tokai Rika Settlement Classes, you will not be bound by any decision concerning the Settlement Class or Classes from which you exclude yourself and you may pursue individually any claims you may have against the Defendants in the Class from which you requested exclusion (at your own expense), but you will not

be eligible to share in the settlement proceeds attributable to those Defendants. Any potential Settlement Class Member who requests exclusion from the Toyoda Gosei or Tokai Rika Settlement Class shall not be precluded, restricted, barred or limited in any way from participating in any future settlements relating to other Defendants in the Action.

**REQUEST FOR ATTORNEYS' FEES AND EXPENSES, AND INCENTIVE AWARDS**

The Court has appointed the law firms identified above as Settlement Class Counsel. These law firms, together with other firms that have worked on this litigation, will file a petition for an award of attorneys' fees and reimbursement of their costs and expenses incurred in prosecuting the case. The request of Settlement Class Counsel for attorneys' fees will not exceed 30 percent of the Toyoda Gosei and Tokai Rika Settlement Fund. Settlement Class Counsel will also request incentive awards for the Class Representatives in the amount of \$ \_\_\_\_\_ each.

The application for attorneys' fees and litigation costs and expenses and incentive awards will be filed on or before \_\_\_\_\_, 2018. If you remain a member of either the Toyoda Gosei Settlement Class or the Tokai Rika Settlement Class and you wish to object to the requests for fees and expenses or incentive payments, you must do so in writing in accordance with the procedures for objections set forth below. If you do not oppose any of these requests, you do not need to take any action in that regard.

**WHEN WILL THE COURT CONSIDER THESE MATTERS AND HOW CAN I TELL THE COURT WHAT I THINK?**

The Court will hold a hearing on \_\_\_\_\_, 2018, at \_\_\_, at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 272, to determine whether to approve: the proposed Toyoda Gosei settlement; the proposed Tokai Rika settlement; the proposed plan of distribution of the Toyoda Gosei and Tokai Rika Settlement Fund; and

Settlement Class Counsel's requests for an award of attorneys' fees and litigation expenses and incentive awards. The hearing may be rescheduled or continued without further notice to you.

If you remain a member of either the Toyoda Gosei or Tokai Rika Settlement Class and you wish to object to that proposed settlement, or to the proposed plan of distribution of the Toyoda Gosei and Tokai Rika Settlement Fund, or to Settlement Class Counsel's requests for an award of attorneys' fees and litigation expenses and incentive awards, you must do so in writing and at your own expense. Any such objection must include the caption of this litigation, must be signed, and be **filed no later than \_\_\_\_\_, 2018**, with the Clerk of Court, United States District Court for the Eastern District of Michigan, Southern Division, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, and mailed to the following counsel, **postmarked no later than \_\_\_\_\_, 2018**:

Gregory P. Hansel  
PRETI, FLAHERTY, BELIVEAU  
& PACHIOS LLP  
One City Center, P.O. Box  
9546 Portland, ME  
04112-9546  
Telephone: (207) 791-3000

Joseph C. Kohn  
KOHN, SWIFT & GRAF, P.C.  
One South Broad Street, Suite 2100  
Philadelphia, PA 19107  
Telephone: (215) 238-1700

Steven A. Kanner  
FREED KANNER LONDON  
& MILLEN LLC  
2201 Waukegan Road, Suite 130  
Bannockburn, IL 60015  
Telephone: (224) 632-4500

Eugene A. Spector  
SPECTOR ROSEMAN  
& KODROFF, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 496-0300

*Co-Lead Counsel for the Direct Purchaser Settlement Class*

Randall J. Turk John Taladay Mark Miller Heather Souder Choi BAKER BOTTS L.L.P. The Warner 1229 Pennsylvania Ave., N.W. Washington D.C. 20004-2400 Telephone: (202) 639-7909	W. Todd Miller BAKER & MILLER PLLC 2401 Pennsylvania Ave., NW Suite 300 Washington, D.C. 20037 Telephone: (202) 663-7820  <i>Counsel for the Tokai Rika Defendants</i>
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<i>Counsel for the Toyoda Gosei Defendants</i>	
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If you do not object to either of the proposed settlements, or related matters set forth above, you do not need to appear at the hearing or take any other action at this time. **Unless you previously submitted a valid Claim Form in connection with the Autoliv and TRW settlements, you must, however, complete and timely submit a Claim Form if you wish to share in the distribution of the Toyoda Gosei and Tokai Rika Settlement Fund.**

**WHAT SHOULD I DO IF I WANT ADDITIONAL INFORMATION OR IF MY ADDRESS CHANGES**

If this Notice reached you at an address other than the one on the mailing label, or if your address changes, please send your correct address to: Occupant Safety Systems Direct Purchaser Antitrust Litigation, PO Box 5110, Portland, OR 97208-5110.

The Settlement Agreements, Complaint, and other public documents filed in this litigation are available for review during normal business hours at the offices of the Clerk of Court, United States District Court for the Eastern District of Michigan, Southern Division, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226. Copies of the Settlement Agreements and certain other documents relevant to this litigation are available at [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com). In addition, all documents filed in the case may be obtained through the Public Access to Court Electronic Records system, after registration and payment of the required fees. Questions concerning the proposed Toyoda Gosei and Tokai Rika settlements, this Notice, or the litigation, may be directed to any of the Settlement Class Counsel identified above.

**Please do not contact the Clerk of the Court or the Judge.**

Dated: \_\_\_\_\_, 2018

BY ORDER OF:

The United States District Court for the  
Eastern District of Michigan, Southern  
Division

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**IN RE AUTOMOTIVE PARTS ANTITRUST  
LITIGATION**

**CASE NO. 12-MD-02311**

**HON. MARIANNE O. BATTANI**

**In Re: OCCUPANT SAFETY SYSTEMS CASES**

**THIS RELATES TO:**

**ALL DIRECT PURCHASER ACTIONS**

**2:12-cv-00601-MOB-MKM**

**2:16-cv-10002-MOB-MKM**

**CLAIM FORM**

**Important Notice to Purchasers of Occupant Safety Systems  
Please Read This Entire Document Carefully**

**To Be Eligible To Share In The Distribution Of The Proceeds Of Settlements  
With The Toyoda Gosei And Tokai Rika Defendants You Must Complete and  
Mail This Proof Of Claim, Postmarked On Or Before \_\_\_\_\_, 2018, Or Have Previously  
Submitted A Valid Claim Form In Connection With Prior Settlements With The Autoliv  
and TRW Defendants**

**Instructions for Completing Claim Form**

If you are a direct purchaser of Occupant Safety Systems (and have not excluded yourself from the Toyoda Gosei and Tokai Rika Settlement Classes), you may be entitled to share in the distribution of the proceeds of settlements reached with Defendants Toyoda Gosei Co., Ltd., Toyoda Gosei North America Corp., and TG Missouri Corp. (collectively, “Toyoda Gosei”) and Defendants Tokai Rika Co., Ltd. and TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc. (collectively, “Tokai Rika”) (together the “Toyoda Gosei and Tokai Rika Settlement Fund”).

To receive your share of the Toyoda Gosei and Tokai Rika Settlement Fund you must either have previously submitted a valid Claim Form in connection with the prior settlements with Autoliv and TRW, or you must submit a timely and valid Claim Form in accordance with the instructions set forth herein **postmarked no later than \_\_\_\_\_, 2018**. If you submitted a Claim Form in connection with the Autoliv and TRW settlements and received a distribution from the OSS Settlement Fund, you may submit a Claim Form at this time, but are not required to do so because the information from your original Claim Form will be used to determine the amount of your distribution from the proceeds of the Toyoda Gosei and Tokai Rika Settlement Fund. If you believe you have additional information that you did not include in your previously submitted Claim Form, then you may submit a Claim Form with that additional

information. If you did not previously submit a Claim Form in connection with the Autoliv and TRW settlements and would like to share in the proceeds of the Toyoda Gosei and Tokai Rika settlements, then you **must** submit a Claim Form **postmarked by \_\_\_\_\_, 2018.**

Please note that if you have chosen to be excluded from the Toyoda Gosei Settlement Class you may not participate in the distribution of the portion of the Toyoda Gosei and Tokai Rika Settlement Fund attributable to the Toyoda Gosei settlement, and if you chose to be excluded from the Tokai Rika Settlement Class you may not participate in the distribution of the portion of the Toyoda Gosei and Tokai Rika Settlement Fund attributable to the Tokai Rika settlement.

Any potential Settlement Class Member who requests exclusion from the Toyoda Gosei or Tokai Rika Settlement Class shall not be precluded, restricted, barred or limited in any way from participating in any future settlements relating to other Defendants in the Action.

**Eligibility:** You are eligible to submit a claim seeking to share in the distribution of the Toyoda Gosei and Tokai Rika Settlement Fund in this litigation if, during the period from January 1, 2003 to February 25, 2015, you purchased Occupant Safety Systems in the United States **directly** from one or more of the following companies: (1) Autoliv Inc.; (2) Autoliv ASP, Inc.; (3) Autoliv B.V. & Co. KG; (4) Autoliv Safety Technology, Inc.; (5) Autoliv Japan Ltd.; (6) Takata Corporation; (7) TK Holdings, Inc.; (8) Tokai Rika Co., Ltd.; (9) TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc.; (10) Toyoda Gosei Co., Ltd.; (11) Toyoda Gosei North America Corporation; (12) TG Missouri Corporation; (13) TRW Automotive Holdings Corp.; (14) TRW Deutschland Holding GmbH; or (15) any co-conspirator of these companies.

As used here, “Occupant Safety Systems” means seat belts, airbags, steering wheels or steering systems, safety electronic systems and related parts and components.

**Submission of Claim:** Each Claim Form must be signed and verified by the claimant or a person authorized to act on behalf of the claimant, and must be **postmarked no later than \_\_\_\_\_, 2018**, and addressed to:

Settlement Administrator  
Occupant Safety Systems Direct Purchaser Antitrust Litigation  
PO Box 5110  
Portland, OR 97208-5110

Do **not** send your Claim Form to the Court or to any of the parties or their counsel. If you receive multiple copies of the Claim Form, complete only one Claim Form covering all of your qualifying purchases. Do not submit more than one claim, and do not submit duplicate claims.

**Confirmation of Receipt of Claim:** The receipt of a claim will **not** be confirmed or acknowledged automatically by the Settlement Administrator. If you wish to have confirmation that your Claim Form has been received, send it by certified mail, return receipt requested.

**Photocopies of Form:** A claim may be submitted on a photocopy of the Claim Form. Other forms, or altered versions of the Claim Form, will not be accepted. Additional copies of the Claim Form may be requested from the Settlement Administrator and also may be obtained on-line at [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com).

**Completion and Support of Claim:** Please type or neatly print all requested information. Failure to complete all parts of the Claim Form may result in denial of the claim, may delay processing, or may otherwise adversely affect the claim. All information submitted in a Claim Form is subject to further inquiry and verification. The Settlement Administrator may ask you to provide supporting information. Failure to provide such requested information also might delay, adversely affect, or result in denial of the claim.

The Claim Form asks for certain information relating to your purchases of Occupant Safety Systems, as well as an explanation of the available documentation (such as account statements and extracts of books and records) that supports your claimed purchases.

**ONLY INCLUDE IN YOUR CLAIM FORM PURCHASES OF OCCUPANT SAFETY SYSTEMS THAT YOU MADE IN THE UNITED STATES *DIRECTLY FROM ONE OR MORE OF THE COMPANIES LISTED ABOVE DURING THE PERIOD FROM JANUARY 1, 2003 TO FEBRUARY 25, 2015.***

**Claims of Separate Entities:** Each corporation, trust, or other business entity making a claim must submit its claim on a separate Claim Form.

**Taxpayer Identification Number:** A Claim Form is not complete without the federal taxpayer identification number of the claimant.

**Identity of Contact Person:** Provide the name, telephone number and e-mail address of the person to be contacted about the information in your Claim Form.

**Assistance:** If you have any questions about your claim, you may contact the Settlement Administrator at the above address. You may also contact your own attorney or other person to assist you, at your own expense.

**Keep a copy:** You should keep a copy of your completed Claim Form for your records. You should also retain all of your documents and records relating to **direct** purchases of Occupant Safety Systems in the United States from any of the listed companies during the period from January 1, 2003 through February 25, 2015. As part of the claims administration process, you may be required to verify certain information about your Occupant Safety Systems purchases such as the Occupant Safety Systems product(s) purchased, the dollar amount(s) purchased, the date(s) of the purchases, and the company(ies) from which you directly purchased the Occupant Safety Systems. If verification of your purchases is sought as part of the claims administration process, you may need to submit purchase records to verify your claim.

**NOTICE REGARDING SOLICITATIONS FROM CLAIMS ASSISTANCE COMPANIES: THERE ARE COMPANIES THAT WRITE OR CALL CLASS MEMBERS AND OFFER THEIR SERVICES IN FILING CLAIM FORMS OR**

**PROVIDING OTHER INFORMATION ABOUT POTENTIAL RECOVERY OF MONIES IN CLASS ACTIONS IN EXCHANGE FOR A PORTION OF ANY SETTLEMENT FUNDS THAT THE CLASS MEMBER MAY ULTIMATELY RECOVER. PLEASE BE ADVISED THAT THESE COMPANIES ARE NOT AFFILIATED WITH PLAINTIFFS, DEFENDANTS OR COUNSEL FOR PLAINTIFFS OR DEFENDANTS AND YOU DO NOT NEED TO USE ONE OF THOSE COMPANIES TO ASSIST YOU OR HELP YOU IN FILING A CLAIM.**

**[CLAIM FORM STARTS NEXT PAGE]**

## **CLAIM FORM**

### **I. IDENTITY OF CLAIMANT**

Indicate below the claimant's name and mailing address. Please note: Correspondence concerning your claim will be directed to you at your mailing address. **You should notify the Settlement Administrator promptly if your address changes after you have submitted this Claim Form.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ - \_\_\_\_\_

Country: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Claimant is a (Check one):

Corporation     Individual     Trustee in Bankruptcy     Partnership

Other (specify, and provide the name and address of the person or entity on whose behalf you are acting):  
\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ - \_\_\_\_\_

Country: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

### **II. CONTACT PERSON**

Indicate below the person to be contacted regarding this claim and the person's telephone numbers and e-mail address:

Name: \_\_\_\_\_

Area Code    Telephone No. (Day)    Area Code    Telephone No. (Evening)

Area Code    Fax Number

E-Mail Address: \_\_\_\_\_

If it is different from the claimant's address stated above, provide the contact person's address:

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ - \_\_\_\_\_

**PLEASE PROMPTLY NOTIFY THE SETTLEMENT ADMINISTRATOR OF ANY CHANGE IN THE ADDRESSES AND TELEPHONE NUMBERS SET FORTH ABOVE.**

**III. YOUR PURCHASES**

On the attached Schedule of Purchases worksheet, list the total amount of **direct** purchases of Occupant Safety Systems in the United States from each company listed above for each year during the period from January 1, 2003 through February 25, 2015. **The purchase amounts must be the net amounts paid after deducting any discounts, rebates, price reductions, taxes, delivery and freight charges. Purchases from companies that are not listed above should not be included.**

When records are available to allow you to calculate and document the dollar amount of your purchases, you must base your purchase information on those records. You must identify those records (e.g., invoices, purchase journals, accounts payable journals, etc.) in the Section entitled "Proof of Purchases."

When records are **not** available, you may submit purchase information based on estimates. If you do submit your purchase information based on estimates, you must explain in the Proof of Purchases section why documents are not available to you and why the estimate is reasonable. In the explanation of how you calculated the estimated purchases, you must identify the documents you used as a basis for your estimates. Estimates can be based on extrapolation from similar circumstances in analogous contexts in the same year (for which you have documentation), or extrapolation from the same or nearly the same circumstances, but in other years (for which you have documentation), or from reports of actual or estimated vehicle production and your records or estimates of the value of Occupant Safety Systems content per vehicle. For example, if you have no records allowing you to calculate your purchases in 2004, you may calculate those purchases by using available records, dated as close to that year as possible (e.g., 2003 or 2005), adjusting for appropriate volume differences and any inflationary unit costs. If you are using sales data and trends to estimate your purchases, you must explain your calculations and retain the documentation used for your calculations until the claims review process has been completed.

**IV. PROOF OF PURCHASES**

List and identify below those records (e.g., invoices, purchase journals, accounts payable journals, etc.) you used to calculate your claimed purchases. If you based your claim on estimates, list and identify below those records (e.g., invoices, purchase journals, sales journals, accounts payable journals, etc.) used by you as the basis of your estimates, and explain how you calculated your estimated payments.

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Your claim is subject to audit by the Settlement Administrator and you may, at a later time, be required to provide copies of some or all of the underlying documentation supporting your claim. Therefore, please retain your documentation until the claims review process has been completed.

**V. CLAIMS BASED UPON ASSIGNMENT OR TRANSFER**

If the claimant on whose behalf this claim is being submitted acquired from some other person or entity (as assignee, transferee, successor or otherwise) the rights that are the basis of the claim being made, please check the box below and attach copies of legal documents that support the acquisition of the claimant's claim.

Yes - This claim is based upon an assignment or transfer and I have attached copies of supporting legal documents.

**VI. EXCLUSION FROM SETTLEMENT CLASS**

Identify the settlement class, if any, from which you excluded yourself. Specify Toyoda Gosei, Tokai Rika, or both, as appropriate, or enter none.

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**VII. SUBSTITUTE FORM W-9**

Each claimant must provide the information requested in the following box. If the correct information is not provided, a portion of any payment that the claimant may be entitled to receive from the Settlement Funds may be withheld.

**Request for Federal Taxpayer Identification Number and Certification**

Claimant's federal taxpayer identification number is:

or

Employer Identification Number  
(for corporations, trusts, etc.)

Social Security Number  
(for individuals)

Name of taxpayer whose identification number is written above:

I certify that the above taxpayer is **NOT** subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code.

NOTE: If you have been notified by the I.R.S. that you are subject to backup withholding, please strike out the word "**NOT**" in the previous sentence.

Under the penalty of perjury, I certify that the foregoing information is true and correct.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(printed name)

Instructions regarding IRS Form W-9 are available at the Internal Revenue Service website at <http://www.irs.gov>.

### **VIII. CERTIFICATION**

I, \_\_\_\_\_, declare under penalty of perjury that the information contained in this Claim Form is true and correct to the best of my knowledge and belief, that I am authorized to sign and submit this claim on behalf of the claimant, that the specific purchases of Occupant Safety Systems listed were made by the claimant **directly** from the companies listed, that the claimant is a member of either the Toyoda Gosei or Tokai Rika settlement class and has not requested exclusion from both the Toyoda Gosei and the Tokai Rika settlement classes, that this claim is the only claim being submitted by the claimant, that the claimant does not know of any other claim being submitted for the same purchases, that the claimant has not transferred or assigned its claims, and that I have read the accompanying Instructions and the Notice of Proposed Settlement and Hearing. Claimant submits to the exclusive jurisdiction of the United States District Court for the Eastern District of Michigan for the purpose of investigation or discovery (if necessary) with respect to this claim and any proceeding or dispute arising out of or relating to this claim. The filing of a false claim is a violation of the criminal laws of the United States and may subject the violator to appropriate criminal penalties.

Date: \_\_\_\_\_, 2018

(signature)

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(Print your name here)

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(Title or position [if claimant is not an individual])

**THIS CLAIM FORM MUST BE SENT TO THE FOLLOWING ADDRESS,  
POSTMARKED NO LATER THAN \_\_\_\_\_, 2018:**

Settlement Administrator  
Occupant Safety Systems Direct Purchaser Antitrust Litigation  
PO Box 5110  
Portland, OR 97208-5110

A Claim Form received by the Settlement Administrator shall be deemed to have been submitted when posted if it is mailed by \_\_\_\_\_, 2018, a postmark is indicated on the envelope, and it is mailed and addressed in accordance with the above instructions. In all other cases, the Claim Form shall be deemed to have been submitted when actually received by the Settlement Administrator.

You should be aware that it will take a significant amount of time to process fully all of the Claim Forms and to administer the Settlement Fund. This work will be completed as promptly as time permits, given the need to review each Claim Form.

**ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.  
THANK YOU FOR YOUR PATIENCE**

Reminder Checklist:

1. Please sign the Claim Form on page \_\_\_\_.
2. Please be sure that **all** required information has been provided.
3. Your claim may be subject to review and verification by the Settlement Administrator. Accordingly, you should maintain all of the documentation supporting your claim until the claims review process has been completed.
4. Keep a copy of the completed Claim Form for your records.
5. If you desire an acknowledgment of receipt of your claim, please send it by certified mail, return receipt requested.
6. If you move after submitting your Claim Form, please promptly send the Settlement Administrator your new address.

If you have any questions concerning this Claim Form or need additional copies, contact the Settlement Administrator at: Occupant Safety Systems Direct Purchaser Antitrust Litigation PO Box 5110, Portland, OR 97208-5110, or at 1- 800 \_\_\_\_\_. Copies of the Claim Form also may be obtained online at [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com).

## **SCHEDULE OF PURCHASES**

**Please fill out ONE Worksheet for EACH YEAR in which you directly purchased Occupant Safety Systems in the United States during the Class Period (January 1, 2003 to February 25, 2015). Enter the year of the purchases in the space provided. You may make as many copies of the blank Worksheet as necessary to list your purchases for each year. If you need more space to list your purchases for any year, please use an additional Worksheet.**

**NAME OF CLAIMANT** \_\_\_\_\_ **YEAR** \_\_\_\_\_

**TOTAL FOR YEAR:** (\$)

<sup>1</sup> Identify the specific company or companies from which you directly purchased Occupant Safety Systems: (1) Autoliv Inc.; (2) Autoliv ASP, Inc.; (3) Autoliv B.V. & Co. KG; (4) Autoliv Safety Technology, Inc.; (5) Autoliv Japan Ltd.; (6) Takata Corporation; (7) TK Holdings, Inc.; (8) Tokai Rika Co., Ltd.; (9) TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc.; (10) Toyoda Gosei Co., Ltd.; (11) Toyoda Gosei North America Corporation; (12) TG Missouri Corporation; (13) TRW Automotive Holdings Corp.; and (14) TRW Deutschland Holding GmbH. Purchases from companies that are not listed should not be included.

<sup>2</sup> List the Occupant Safety Systems products.

<sup>3</sup> List the dollar amount of **direct purchases** of Occupant Safety Systems from each of the companies listed above for the year in question. The purchase amounts must be the net amounts paid after deducting any discounts, rebates, taxes, delivery and freight charges.